

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jun 11, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE ANTONIO MENDOZA,

Defendant.

NO: 2:20-CR-61-RMP-1

PROTECTIVE ORDER

BEFORE THE COURT is the Government's Unopposed Motion for a Protective Order, ECF No. 17, and Motion to Expedite hearing of the same, ECF No. 18. The Court has reviewed the motions, the record, and is fully informed.

The Court finds that the privacy protection measures mandated by 18 U.S.C. § 3509(d), when a case involves a person under the age of eighteen years who is alleged to be a victim of a crime of sexual exploitation, or a witness to a crime committed against another person, apply to this case. Additionally, the Court finds that good cause exists to grant the Motion to Expedite. Accordingly, **IT IS HEREBY ORDERED** that the Government's Unopposed Motion for Protective

1 Order, **ECF No. 17**, and the accompanying Motion to Expedite, **ECF No. 18**, are
2 **GRANTED.**

3 **IT IS FURTHER ORDERED** that all persons acting in this case in a
4 capacity described in 18 U.S.C. § 3509(d)(1)(B), shall follow and abide by the
5 privacy protections of 18 U.S.C. § 3509(d)(1) and (2) as follows:

6 (1) Confidentiality of information.

7 (A) A person acting in a capacity described in subparagraph (B) in
8 connection with a criminal proceeding shall—

9 (i) keep all documents that disclose the name or any other
10 information concerning a child in a secure place to which no
11 person who does not have reason to know their contents has
12 access; and

13 (ii) disclose documents described in clause (i) or the information
14 in them that concerns a child only to persons who, by reason of
15 their participation in the proceeding, have reason to know such
16 information.

17 (B) Subparagraph (A) applies to—

18 (i) all employees of the Government connected with the case,
19 including employees of the Department of Justice, any law
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1 enforcement agency involved in the case, and any person hired
2 by the Government to provide assistance in the proceeding;

3 (ii) employees of the court;

4 (iii) the defendant and employees of the defendant, including the
5 attorney for the defendant and persons hired by the defendant or
6 the attorney for the defendant to provide assistance in the
7 proceeding; and

8 (iv) members of the jury.

9 (2) Filing under seal. All papers to be filed in court that disclose the name
10 of or any other information concerning a child shall be filed under seal
11 without necessity of obtaining a court order. The person who makes the
12 filing shall submit to the clerk of the court—

13 (A) the complete paper to be kept under seal; and

14 (B) the paper with the portions of it that disclose the name of or other
15 information concerning a child redacted, to be placed in the
16 public record.

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18 **IT IS FURTHER ORDERED** that counsel shall remind all persons
19 providing assistance on this case of these obligations.

20 **IT IS FURTHER ORDERED** that any alleged victim will be referred to
21 either by initials or a pseudonym, whichever is agreed upon by counsel for the

1 Government and the Defendant. Counsel shall be consistent in their use of the
2 identifier selected. The parties shall prepare their witnesses and instruct them to
3 refer to the alleged victims only by using the agreed pseudonyms (e.g., "Jane Doe
4 1", "Jane Doe 2" etc.), rather than their names, in opening statements and in closing
5 arguments.

6 **IT IS FURTHER ORDERED** that all personal information relating to any
7 victim described above shall be precluded from public disclosure.

8 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
9 Order and provide copies to counsel.

10 **DATED** June 11, 2020.

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12 *s/ Rosanna Malouf Peterson*
13 ROSANNA MALOUF PETERSON
14 United States District Judge
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